

LEGISLATIVE BULLETIN

VOL. 2017-5

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The Next Big Financial Crisis – The FY18 Budget

As of Wednesday of this week, the House and Senate have collectively introduced just over 900 bills. Thursday is the last day to introduce legislation, so there will probably be a few more bills introduced. After Thursday, representatives and senators may still introduce memorials and resolutions.

House Bill 2, General Appropriations Act of 2017 introduced by **Representative Patricia Lundstrom**, still resides in the House Appropriations and Finance Committee, which is the normal procedure for appropriation bills. There will undoubtedly be a substitute bill that will eventually make it to the Senate. On Monday of this week, Senator John Arthur Smith on the Senate floor said legislators should be taking a hard look at the state's fiscal condition because there is an anticipated \$250 to \$300 million shortfall for fiscal year 2017-18. He also warned of another 2 percent across-the-board cuts. How this scenario will play out will be the major issue as this legislature proceeds. New revenue forecasts are due on Thursday. Also introduced on Tuesday was House Bill 412 by **Representative Jason Harper and Senators John Arthur Smith and Carlos Cisneros**. The 347-page bill is a major overhaul of New Mexico's tax structure. A more detailed analysis will be presented in another *Bulletin*.

There were several League priorities that saw favorable Committee action this week.

In Senate Corporations and Transportation Committee, three bills concerning a gas tax increase were heard. Senate Bill 95, Gas Tax Increase and Distribution introduced by **Senator Clemente Sanchez**, and Senate Bills 131 and 132, both relating to Gas Tax Increase and Distribution, introduced by **Senator John Arthur Smith and Representative Bobby Gonzales**, were passed without recommendation. All three bills would increase the gas and special fuels tax and distribute the increase both to the state and to the Local Government Road Fund. The amount for local governments would be approximately \$70 million. All three bills now go to Senate Finance where a substitute is anticipated. In the same Committee, Senate Bill 236, Tax Average Distribution and Transfer Amount, introduced by **Senator Carroll Leavell**, received a Do Pass recommendation. The bill changes the calculation of the "average distribution or transfer amount" for local option gross receipts taxes to a municipality or county from an annual average to an average monthly amount. The same Committee gave a Do Pass recommendation to Senate Bill 254, Short - Term Rental Occupancy Tax, introduced by **Senator John Sapien**. The bill removes an exemption from the occupancy tax for short-term rentals by a vendor that does not offer at least three rooms within or attached to a taxable premise for lodging. A special thanks to all the legislators involved with these bills.

House Bill 157, Firefighter PTSD & Mental Health introduced by **Representative Deborah Armstrong**, received another Do Pass recommendation from House Labor and Economic Development Committee. The bill adds post traumatic stress disorder to the list of medical conditions that are considered to result from a firefighter's employment, provided that the medical condition was not identified during the initial employment physical. An amendment in House Health and Human Services removed a reference in the bill to "mental health disorder" before giving it a Do Pass recommendation.

House Local Government, Elections, Land Grant and Cultural Affairs Committee Substitute for House Bill 205 introduced by **Representative Rebecca Dow**, received a Do Pass recommendation from that committee. The bill encourages the use of vacant commercial buildings in rural municipalities or villages with populations under 50,000 by providing small business variances from requirements of building codes. Unsafe conditions must be corrected before the business can occupy the vacant commercial property. In the same Committee, a Committee Substitute for House Bills 104 and 174, Local Election Act introduced by **Senator Daniel Ivey-Soto and Representative James Smith** received a Do Pass recommendation. The bill now goes to House Judiciary Committee.

LEAGUE OFFICE PARKING DURING THE SESSION

Because of the demand for parking around the Capitol during the session, we must protect the availability of parking for our municipal officials and staff. In order to reduce the possibility of accidents, a few areas in our lots are designated by signs as “NO PARKING” AREAS.” If you are visiting the session and need to park in the League lots, please help us by observing the following rules:

- 1. Do not park in the areas designated as “NO PARKING” zones.*
 - 2. Obtain a League Parking Permit from the reception desk and leave it on the rear-view mirror of your car so that it’s easily visible.*
 - 3. DOUBLE PARKING OR PARKING BEHIND ANOTHER CAR IS NO LONGER PERMITTED IN OUR LOTS.*
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YOUR LEGISLATIVE BULLETIN

This is the first in the series of weekly League **Legislative Bulletins** designed to communicate with municipal officials, legislators and the Executive Branch of state government.

This year the League will publish the **Bulletin** electronically and will not distribute a printed copy. We will post the **Bulletin** on Friday mornings on the League’s website under the listing of “Publications.” We will then e-mail a link to the document to our membership through our list serve that we use to distribute *The Municipal Reporter*.

Municipal officials who receive the **Bulletin** include all mayors, commissioners, councilors, trustees, managers, clerks, municipal judges, police chiefs and many other municipal officials.

The **Legislative Bulletin** contains:

- ◆ a brief review of all bills of municipal interest of which we have received a copy since the prior Bulletin (it will save you and us time if you make a note of the House or Senate Bill number you are interested in);
- ◆ a brief analysis of key legislative developments of the past week;
- ◆ detailed explanations of key municipal bills; and, perhaps,
- ◆ an Action Call if any important municipal bill is scheduled to be heard in committee or on the floor of either house.

Your legislator can be reached by name through the **Legislative Switchboard: (505) 986-4300** in Santa Fe. For those of you on line, the Legislature’s web site also contains the e-mail addresses of those legislators who use the service. That address is: <http://www.nmlegis.gov>. Also check the League’s web site (www.nmml.org) for League information.

CAPITAL PROJECT FUNDING BILLS

Capital outlay project requests in recent years have not been introduced as legislative bills, but submitted as “capital outlay requests.” All approved requests are then included in a major capital outlay bill for final passage.

In past years we have reported these requests as we received the printed copies. The legislature will track all capital outlay requests electronically only. Therefore, we are no longer able to report the requests for you as we had in the past. However, the good news is that all requests will be listed on the legislative web site at nmlegis.gov (click on Capital Outlay). Each request is listed under the appropriate county and then alphabetically by title and includes the description of the request along with the dollar amount. Legislative Council Service will be updating the information every Tuesday and Friday evenings so the new introductions will be available for you early on Wednesdays and Saturdays. As always, you can contact your legislators directly to find out when your project will be scheduled for hearing.

BIOGRAPHY OF A BILL

A bill is introduced by a sponsoring legislator on the floor of either house, numbered by the clerk and referred for consideration to one or more committees of that house. The deadline for introduction of all bills except appropriations bills or bills requested by the Governor (*special messages*) is Noon on the 30th day of a 60-day session (**February 16**).

Committee recommendations usually determine the success or failure of a bill. A bill may be amended in committee or on the floor at any point in the process — sometimes changed so severely that its own author would not recognize it — or a substitute measure with the same number and general subject matter may be put in its place.

If you are interested in a particular bill, do not be dismayed if it seems to sit for a long time in committee, particularly in a tax, finance or appropriations committee. Bills which ask for money or for taxing authority often lie dormant until the last few days of a session and then move with unbelievable speed.

If a bill passes successfully through its committee referrals, it returns to the floor of the house in which it was introduced for floor consideration. If it passes that house, it goes to the other house. However, it may also be tabled, referred again or defeated.

In the second house the bill is again considered in one or several committees and it may again be amended or substituted. If it gets through its committee assignments, it returns to the floor of that house for consideration and may from there be referred, tabled, passed or defeated.

If the bill passes the second house and it has been amended or substituted by the second house, the originating house must concur or fail to concur with the changes. If the originating house fails to concur, a conference committee representing both houses is appointed to decide what to present to both houses for acceptance.

A bill that has been passed in some agreed-upon form by both the House and the Senate goes to the Governor for signature. The Governor may choose to sign or to veto the bill. If the bill contains an appropriation, the Governor may veto portions if she wishes (*line item veto*); if it does not, she may only veto the entire bill. If vetoed, 2/3 of the House and 2/3 of the Senate must vote in favor of the bill in order to override the veto. If the veto override fails, the bill is dead.

Most bills do not reach the Governor's desk before the Legislature adjourns (**Noon, March 18**). The Governor has 20 days following the close of the session (**Noon, April 7**) to sign, veto or fail to sign (*pocket veto*) any bill that he did not act on during the session. Any bill is much more likely to have died in committee or on the floor before even reaching the Governor's desk.

In New Mexico, no more than 1/4 to 1/3 of bills introduced ever make it all the way to enactment. The historic trend in New Mexico is for more and more introductions each succeeding session.

ABBREVIATION CODE

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| HB | House Bill | SB | Senate Bill |
| HCR | House Concurrent Resolution | SCR | Senate Concurrent Resolution |
| HJR | House Joint Resolution | SJR | Senate Joint resolution |
| HJM | House Joint Memorial | SJM | Senate Joint Memorial |
| HM | House Memorial | SM | Senate Memorial |

* Contains Emergency Clause (effective immediately on Governor's signing)
 CA - Constitutional Amendment (requires approval by statewide electorate)

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| | HOUSE COMMITTEES | HCW | Committee of the Whole |
| HAFC | Appropriations and Finance | HEEC | Enrolling and Engrossing |
| HAWC | Agriculture and Water Resources | | |
| HBIC | Business and Industry | SENATE COMMITTEES | |
| HCPAC | Consumer and Public Affairs | SCC | Committee's Committee |
| HEC | Education | SCONC | Conservation |
| HENRC | Energy, Environment and Natural Resources | SCORC | Corporations and Transportation |
| HHHC | Health and Human Services | SCW | Committee of the Whole |
| HJC | Judiciary | SEC | Education |
| HLEDC | Labor and Economic Development | SFC | Finance |
| HRC | Rules and Order of Business | SIAC | Indian and Cultural Affairs |
| HLELC | Local Government, Elections, Land Grant & Cultural Affairs | SJC | Judiciary |
| HSIVC | State Government, Indian & Veterans Affairs | SPAC | Public Affairs |
| HTRC | Taxation & Revenue | SRC | Rules |
| HTPWC | Transportation, Public Works & Capital Improvements | | |

Bill Introductions through Wednesday, February 15, 2017

- HB 349 YIELD TO TRANSIT BUSES DISPLAYING YIELD SIGNS (Gonzales)** Amends §§§66-1-4.11, 66-1-4.14, 66-1-4.17 and 66-8-116 and new material; the bill amends sections of the Motor Vehicle Code to require vehicle drivers to yield when a transit bus is merging into traffic after a stop and displaying a lighted “YIELD” sign on the back of the bus. The offense is a penalty assessment misdemeanor with a \$25.00 penalty assessment. Effective 7/1/17. HTPWC/HJC
- HB 356 PROMOTE RESIDENT BUSINESS PROJECTS (Martinez, R., Ely, Ferrary & Sweetser)** Amends §5-10-2 of the Local Economic Development Act to add to the purpose of the Act is to promote local businesses; appropriates \$2 million from the General Fund to the Economic Development Department to pay for the promotion. HLEDC/HVISC
- HB 359 WORKERS’ COMP AWARDS (Ely)** Amends §52-1-6 NMSA 1978 to provide that the Worker’s Compensation Act (WCA) is not the exclusive remedy for claims of bad faith, unfair claims-processing practices or other similar common law or statutory claims against an employer, insurer or other party and makes technical changes. Amends §52-1-26.3 NMSA 1978, the education modification points for each existing category are increased by one and it modifies the categories for level of education completed. The legislation also makes adjustment to the points given for certain job skill ratings (specific vocational preparation SVP). The legislation creates a new subsection in §52-1-26.4 NMSA 1978 that allows a worker’s compensation judge to award points to a worker based upon the difference between the physical capacity necessary to perform the worker's usual and customary work and the worker's residual physical capacity as affected by the primary mental impairment under physical capacity modifications. Increases the penalty for unfair claim processing practices or bad faith from \$1,000 to \$5,000 for those who have a pattern or history of this type of dealings and contains conforming language concerning the right to pursue a private cause of action for this type of violation in §52-1-28.1 NMSA 1978. It clarifies the process for an independent medical examination when the parties cannot agree on a medical issue. It provides that an independent medical examination report shall be admissible evidence at any hearings pursuant to the WCA, including formal hearings. It clarifies the subsection establishing the compensation judge’s right to suspend benefits when a worker continues to engage in unsanitary or injurious practices. It provides for the reestablishment of the benefits once the worker ceases those practices. It amends §52-1-54 NMSA 1978, to requires a workers’ compensation judge to approve an attorney fee before it is paid. It increases the limit that the employer will advance to the worker for discovery from \$3,000 to \$6,000 and clarifies other provisions concerning certain payments under the act. It would allow the judge, at the judge’s discretion, to consider the value of future medical benefits in determining attorney fees. It increases the amount a judge may award in attorney fees when there is evidence of bad faith from \$5,000 to \$15,000. The limitations on attorney fees do not apply to a permanent total disability claim. In that case, either party's attorney may petition the administration for an order authorizing fees to be paid above the fee limit. If the fees requested satisfy the requirements for awarding fees, a judge shall order them paid. HB 359 raises the fine for violation of any provision of this fee section from not less than \$50 or more than five hundred dollars \$500 to an initial fine of not less than \$500 and not more than \$5,000. HB 359 makes conforming and technical changes to §59A-16-30 NMSA 1978. Effective 7/1/17. HLEDC/HJC
- HB 362 HOME INSPECTOR LICENSING ACT (Baldonado)** Enacts new material; the bill enacts the Home Inspector Licensing Act for the purpose of licensing persons who provide professional written opinions of the condition of a property including site aspects, structures and operational systems that are normally operated by a home owner. A board is created and administratively attached to the Regulation and Licensing Department. Criminal background checks are required of applicants. Reciprocity may be granted after negotiation with other states with similar inspector licensing requirements. Most violations are petty misdemeanors with inspecting without a license classified as a misdemeanor. Effective 1/1/18. HBIC/HAFC
- HB 370 OPIOID OVERDOSE EDUCATION (Maestas Barnes)** Enacts new material; the bill requires state and local law enforcement officers to carry opioid antagonists to treat cases of opioid overdose and to be

trained in how to use the antagonists. Also inmates of a corrections facility or detention center who have substance abuse disorders are required to be trained how to administer opioid antagonists upon release after serving a term for a conviction. HSIVC/HHHC

- HB 371 NO FALSE STATEMENTS TO ENVIRONMENT DEPARTMENT (Fajardo)** Enacts new material in the Environmental Improvement Act that creates crimes with felony penalties and fines of up to \$10,000 for owners or operators of solid waste facilities or public water systems who make false statements, whether verbal or in writing, to employees of the Environment Department. Remediation of consequences of the false statements made is also required. HENRC/HJC
- HB 381 PRC JURISDICTION ON TRANSMISSION LINES PLACES (Trujillo, C and Cisneros)** Amends §62-9-3; the bill amends a section of the Public Regulation Act that requires the Public Regulation Commission to review and approve or disapprove of the location of electric generation plants, facilities or transmission lines based on the effect on the environment or quality of life of state residents. The altered language requires approval of any plant, facility or transmission line capable of operation at 230 kilovolts or more, including substations or any other associated facility. The effect on other public utilities would also have to be considered now. HENRC/HBIC
- HB 382 MINERAL LEASE DISTRICTS ACT (Nibert)** Enacts new material; the bill enacts the Mineral Lease Districts Act which authorizes a county to establish one or more mineral lease districts within the county by resolution. The district may include municipalities within the county. A board is created to administer the district with membership according to the provisions of the resolution creating the district. The County Commission appoints the membership for a two year period and may have representatives on the board that represent the municipalities in the district. The district is responsible for allocating the federal mineral lease payments and payments in lieu of taxes money which is provided to the district. Money is to be distributed to areas affected by federal mineral development activity for public lands management. Counties are encouraged to form the districts to prevent the federal department of interior from counting mineral lease payments as prior-year payments in the payment in lieu of taxes formula. HENRC/HLELC
- HB 383 E911 TECHNOLOGY NEUTRALITY & IMMUNITY (Wooley)** Amends §§63-9D-3 and 63-9D-10; the bill reduces liability for local governing bodies, public agencies, equipment suppliers, telecommunications companies, commercial mobile radio service providers and employees and agents of those entities from damages resulting from installing maintaining or providing enhanced 911 systems or transmitting 911 calls by eliminating liability for willful or wanton negligent acts and retaining only liability for intentional acts resulting in damage. HSIVC/HJC
- HB 386 LAW ENFORCEMENT FUND FOR PLANNING & TRAINING (Ruiloba)** Amends §§§§§§§29-7-12, 29-13-2, 29-13-2.1, 29-13-4, 29-13-5, 29-13-5, 29-13-6, 29-13-7, 29-13-9; the bill makes some changes to the distribution scheme of the funds in the law enforcement protection fund to provide an additional source of funding for the Law Enforcement Training and Recruiting Fund to be used for planning, training, equipment and supplies for training at the law enforcement academy. The law enforcement academy may receive \$250,000 from the excess money in the Law Enforcement Protection Fund if the balance is in excess of \$5,100,000. Effective 7/1/17. HAFC
- HB 391 PUBLICATION OF SOLE SOURCE CONTRACTS (Trujillo, L)** Amends §13-1-126.1; the bill authorizes posting of notice of intent to award a sole source contract on the website of the central purchasing office of a local government or a state agency of any branch of state government. Effective 7/1/17. HSIVC/HCPAC
- HB 397 DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS (Rehm)** New material re-writes the current driving under the influence section of the state Motor Vehicle Code; penalties for first, second and third offenses remain the same; requires ignition interlocks for first, second, third and subsequent offenses; raise the fine for a first conviction from \$500 to not more than \$800; penalty for a second offense goes from \$500 to not more than \$1,000; for a third, fine is between \$750 to \$1,000; if an offender violates a condition of parole, the court may impose any sentence that could have been originally

- HB 442** **MINIMUM WAGE AND WAGE-RELATED CONDUCT (Rodella)** Amends §50-4-22 and enacts new material; the bill increases the minimum wage beginning 1/1/18 to \$9.25 per hour. Tip minimum wage increases on 1/1/18 to forty percent of the minimum wage in effect at the time of payment. The state does not preempt actions taken by municipalities or counties to establish a minimum wage that exceeds the state-imposed minimum wage. The wage of an employee may not be decreased due to the imposition of this new minimum wage. No municipality, county or state agency may adopt or continue in effect laws, rules or policies that regulate the schedule of work hours of an employee of a private employer. Effective 7/1/17. HLEDC/HJC
- HB 457** **TAX INFO AVAILABLE TO LOCAL GOVERNMENT (Ely)** Amends §7-1-8.9; the bill makes explicit that tax information that is subject to an agreement with the Internal Revenue Department may be provided to a county or municipal government upon written request of that government. HTRC
- HB 468** **ELECTED ALB/BERNALILLO COUNTY WATER UTILITY BOARD (Romero)** Amends §72-1-10; the bill creates an elected city/county water utility board to govern the Albuquerque/Bernalillo county water utility authority. The board will consist of five members with staggered four year terms elected from the five county commissioner districts in Bernalillo county beginning with the general election in 2018. Directors must live in the district from which they are elected. HLELC/HJC
- *SB 376** **PREMIUM TAX COLLECTED BY TAX & REV (Muñoz)** Amends §59A-6-2; the Taxation and Revenue Department shall be responsible for collecting and enforcing the Premium Tax. EMERGENCY CLAUSE. SCORC/SFC
- *SB 380** **NATIONAL GUARD FOR CYBERSECURITY THREATS (Payne)** Amends §20-2-3; authorizes the governor to call any member of the National Guard or State Defense Force to active duty for: 1) to protect critical infrastructure from a cybersecurity threat; 2) to protect an information system owned or operated by the state from a cybersecurity threat; 3) to protect information that is stored on, processed by or transiting on an information system owned or operated by the state; and 4) to identify the source of a cybersecurity threat; a member called to active service shall not have any police powers or arrest authority; duration of active duty not to exceed a cumulative total of four months in a calendar year. No activation order may be used to incur a debt. EMERGENCY CLAUSE. SPAC/SJC
- SB 382** **INVESTMENT POOL CHARGES TO STATE TREASURER (Muñoz)** Amends §6-10-10.1; amounts the State Treasurer deducts from participating governments in the Local Government Investment Pool shall be deposited in the State Treasurer's operating account and may be used for operations of the State Treasurer's office; balances remaining shall not revert. Effective 7/1/18. SPAC/SFC
- SB 386** **RAISE MINIMUM WAGE & ALLOW TRAINING RATE (Sanchez)** Amends §50-4-22 to eraise the minimum wage to \$9 per hour; allows a training wage of \$8 per hour for a training period not to exceed 60 days; raises the tip wage from \$2.13 to \$2.63 per hour. Effective 7/1/17. SPAC/SCORC
- SB 392** **CAPITAL OUTLAY REFORM ACT (Campos)** New material creates the Capital Outlay Oversight Task Force composed of 17 members; Task Force is to monitor the Capitol Buildings Planning Commission and develop a statewide capital improvement plan and identify general categories of infrastructure needs and criteria; all governmental entities are to cooperate with the Task Force's efforts; creates the Capital Planning and Assistance Division of the Department of Finance and Administration. Repeals §6-4-1. SRC/SFC
- SB 394** **INDUSTRIAL REVENUE BOND CHANGES (Neville)** Recompiles §3-32-2 as §50-20-1; local government is a county or municipality; authorized projects include: 1) a commercial enterprise that has received a permit from the Energy, Minerals and Natural Resources Department for a mine that has not been in operation prior to the issuance of the bonds ; and 2) a commercial enterprise that has received any necessary state permit from a refinery, treatment plant or processing plant of energy products that was not in operation prior to the issuance of the bonds; exempts telecommunications sales enterprises that makes the majority of its sales to persons outside New Mexico; authorizes local governments to refinance 501 (c) (3) corporation projects; a project acquired by a municipality shall be entirely located within the

municipality and a project acquired by the county shall be entirely located outside of the boundaries of a municipality, except in a Class A County with a population of 300,000 or more may acquire projects anywhere in the county. Repeals §§§3-32-3, 5, 5.1 and §§4-59-1 through 4 and 5 through 16. Effective 7/1/17. SCORC/SFC

- SB 395** **RENAME ALCOHOL & GAMING DIVISION (Griggs, Pirtle)** Amends several sections to rename the Alcohol and Gaming Division of the Regulations and Licensing Department the Alcoholic Beverage Control Division. SRC/SCORC
- SB 396** **TRANSPORTATION SERVICES BONDS (Cisneros)** Authorizes the State Board of Finance to issue and sell up to \$15 million in Severance Tax Bonds for statewide projects; \$2.7 million is to support the acquisition of facilities and vehicles by county and municipal governments and regional transit districts for public transportation programs; and \$300,000 is appropriated to the Aging and Long-term Services Department for distribution statewide to governmental providers of transportation services funded by the Department for the acquisition of vehicles. Effective 7/1/17. SCORC/SFC
- SB 401** **WORKERS' COMP PREMIUM RATES (Pirtle)** Amends §59A-17-8: workers' comp premium rates shall calculated on the basis of an employer's wages paid but the rate shall not exceed four percent of the wages paid; Effective 7/1/18. SCORC/SJC
- SB 409** **HISTORIC PRESERVATION ON STATE LAND PROJECTS (Wirth, Egolf)** Amends §3-22-6; provisions of the Historic District and Landmark Act shall apply to any new construction or renovation project on land that is owned by the state or owned by the state and leased to an entity other than the state, regardless of the source of funding for the project. EMERGENCY CLAUSE. SIAC/SPAC
- SB 410** **FIREARMS NEAR ELECTION POLLING PLACES (Stewart)** New material prohibits the carrying of a loaded or unloaded firearm within 200 feet of a polling place during any election; violation is a petty misdemeanor. SRC/SJC
- SB 411** **TELECOM SURCHARGES ON MODERN EQUIPMENT (Rodriguez)** Amends §63-9F-11 to impose a telecommunications relay surcharge of .33 percent on the gross amount paid by customers for intrastate telecommunications services provided in the state; include customers for retail pre-paid mobile telecommunications services which must be paid at the time of purchase; surcharge applies to a home service provider providing intrastate mobile telecommunications services. Effective 7/1/17. SCORC/SFC
- SB 415** **UNIFORMITY OF EMPLOYMENT LAW TERMS (Muñoz)** New material state a political subdivision of the state, including hoe rule municipalities or an institution of the state shall not adopt a law, policy or resolution that ; 1) regulates or attempts to regulate the hours, scheduling or leave that a for-profit or non-profit private sector employer provides its employees; or 2) requires or attempts to require a for-profit or non-profit private-sector employer to provide paid or unpaid leave, a fringe benefit or a benefit for which the employer would incur an expense.SCORC/SJC
- SB 416** **GROSS RECEIPTS ON THE SALE OF CERTAIN FOODS (Muñoz)** Amends§7-9-92; receipts of minimal-to-no nutritional value foods may not be deducted from gross receipts taxes; minimal-to-no nutritional value foods include sweetened beverages, frozen desserts, pastries, powder or base products and snack chips and crisps; requires the Department to promulgate rules implementing provisions. Effective 7/1/17. SCORC/SFC
- SB 418** **BEHAVIORAL HEALTH PUBLIC-PRIVATE PARTNERSHIP (Muñoz)** New material authorizes public-private partnership between a local government, state agency or institution to provide behavioral health projects, including buildings for providing behavioral health services; set guidelines for the partnership in procurement and agreements. SJC/SFC
- SB 419** **ARCHITECTURAL & ENGINEERING CONTRACT LIMITS (Cervantes)** Amends §13-1-154.1; a state agency or local public body may procure multiple architectural and engineering services contracts; increases the value for total amount at any time from \$2 million to \$6 million. SCORC/SJC

- SB 425** **ENHANCED ENTERPRISE ZONE ACT (Sanchez)** New Material creates the Enhanced Enterprise Zone Act to provide qualified participants with property tax relief at the state and local levels and provide community economic development in economically depressed or underperforming rural and urban areas in the state; a local government by ordinance may designate an area as economically depressed, has high unemployment, high poverty as factors for revitalization; requires public hearings; requires the local government to reevaluate the area; allows for property tax abatements; allows clawbacks for failure to complete projects. Delayed repeal as of June 30, 2032. Effective 7/1/17.
- SB 426** **TOURISM PUBLIC-PRIVATE PARTNERSHIPS (Cisneros)** New material; same as SB 418 except the partnerships are for the development of tourism projects. Effective 7/1/17. SJC/SFC
- SB 427** **EXPIRED LICENSE INFO FOR DRIVING CARDS (Ortiz y Pino)** Amends §66-5-9; an applicant for a driving authorization card or an identification cards who provides a New Mexico license or card that is valid or has been expired for one year or less shall be deemed to have satisfied the department's requirements for providing proof of the applicant's identification number, identity, age and New Mexico residency requirement for a driving authorization card; cards not to be used for federal purpose expire four years after the effective date. SPAC/SJC
- SB 429** **SPACEPORT CONFIDENTIAL RECORDS ACT (Papen)** New material creates the Spaceport Confidential Records Act whose purpose is to protect sensitive and proprietary customer information maintained by the Spaceport Authority; customer information includes identity, correspondence, schedules, agreements, payments, activities, technology, visitor logs, policies, security protocols and sensitive data; makes those items exempt from the Inspection of Public Records Act; amends §14-2-1 to add as an exemption for inspection of public records information in the Act. SPAC/SJC
- SB 433** **HOSPITAL TAX FOR MEDICAID TRUST FUND (Cisneros)** New material creates a gross receipts tax on hospitals for a limited period of time; creates the Medical Trust Fund; receipts from the hospital GRT are to go to the Medicaid Trust Fund. Several effective dates. SCORC/SFC